

CLASSIFICATION OFFICE DECISION

Title of publication: 039_39.JPG

Other known title(s): Not stated

OFLC ref: 2000211.024

Medium: Image File

Distributor: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 04 September 2020

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 04 September 2020

Summary of reasons for decision:

The image is a close-up of a young teen girl's naked chest that has a tropical beach scene drawn on with a black marker. It is classified objectionable because it exploits the nudity of its young subject to such a high degree that its availability likely to be injurious to the public good. As a digital file it can be exchanged and widely distributed, thereby normalising the exploitation of the nudity of young teenage girls. The image would certainly attract the interest of those who have a sexual interest in young persons should it become more widely available. This classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990, but is reasonable and justified in order to prevent injury to the public good. It reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.